

Notice of Allowability

Application No.

09/649,092

Examiner

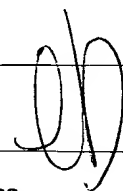
Monique R Jackson

Applicant(s)

KARAIWA, MASATO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 8/10/04.
2. ☒ The allowed claim(s) is/are 1, 2 and 7-13.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>10/26/04</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Roger Hahn on 10/26/04.

The application has been amended as follows:

In the last line of Claim 13, the phrase “, wherein the product is selected from the group consisting of a glass-run channel, and a roof molding, side molding or window molding for automobiles” has been inserted after “producing the product” and before the period at the end of the claim.

Claim 14 has been cancelled.

2. The following is an examiner's statement of reasons for allowance: the closest prior art, Hamada et al, teaches a two-layer thermoplastic elastomer sheet useful in producing molded products for automobiles comprising a skin layer and a reverse surface layer wherein the skin layer is composed of a thermoplastic elastomer containing 1-85 parts by weight of a polyolefin resin (A) such as polymers of ethylene or propylene or a mixture of polyethylene and polypropylene having a mixing ratio of 10/90 to 70/30 (polyethylene/polypropylene), and 15-99 parts by weight of an alpha-olefin copolymer rubber (B) such as an ethylene-propylene-non-conjugated rubber; and a reverse surface layer composed of a thermoplastic elastomer containing 6 to 90 parts by weight of polyolefin resin (A), and 10 to 94 parts by weight of alpha-olefin

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copolymer rubber (B); wherein the skin and surface layers may further contain 5 to 100 part by weight, more preferably 20 to 70 parts by weight, per 100 parts by weight of the sum of polyolefin resin (A) and olefin rubber (B), of a mineral oil softening agent (D); and wherein the thermoplastic elastomers of both layers may be partially crosslinked by dynamically heat treating the blends in the presence of a crosslinking agent. Hamada et al do not teach or render obvious the relationship of the ratios of the softening agent to the rubbery component in the two layers as instantly claimed wherein the reverse surface layer of Hamada et al would be the underlayer of a glass-run channel, or roof molding, side molding or window molding for an automobile and in fact, provide several examples which teach the opposite relationship.

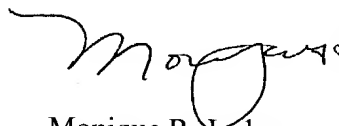
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique R Jackson whose telephone number is 571-272-1508. The examiner can normally be reached on Mondays-Thursdays, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on 571-272-1535. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 **MONIQUE R. JACKSON**
PRIMARY EXAMINER

Monique R. Jackson
Primary Examiner
Technology Center 1700
October 26, 2004